

**FILED**

**NOV 14 2007**

**RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND**

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Attorney for Defendant  
HERIBERTO G. REYNOSO CHAVEZ

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. CR-06-00823 DLJ
Plaintiff,	)	<b>STIPULATION AND <del>PROPOSED</del></b>
v.	)	<b>ORDER RE: COURT DATE</b>
HERIBERTO G. REYNOSO CHAVEZ	)	Date: January 11, 2008
CARLOS NUNEZ PEREZ,	)	Time: 9:00 a.m.
Defendants.	)	

Assistant United Attorney Kimberly A. Briggs, and defendants, Heriberto G. Reynoso Chavez and Carlos Nunez Perez, through counsel, Juliana Drous and Ruben Munoz hereby stipulate as follows:

At the last court appearance on September 14, 2007, motions were scheduled to be heard on November 16, 2007. Defendants were to file motions by October 19, 2007. In this proposed stipulated order, it is respectfully requested that the hearing date for motions be continued to January 11, 2008, and that defendants be allowed to file motions on or before December 7, 2007, and the government to file a response on or before December 21, 2007.

This request is made to allow the parties additional time to resolve this matter.

After the dates were scheduled, Juliana Drous, counsel for defendant Heriberto G. Reynoso Chavez, took some time from her practice as a result of a serious heart arrhythmia for which she was hospitalized at the University of California Hospital from September 26, 2007 through September 29, 2007.

Then during October, and continuing into November, counsel for the government and the defendants engaged in numerous discussions in an attempt to settle this case. Counsel believed that

STIPULATION RE: CONTINUANCE OF COURT DATE

1 resolution to this case was reached, but complications arose which need to be resolved.

2 Ruben Munoz, counsel for defendant Carlos Nunez Perez, is unavailable during the month of  
3 December because he will be in trial.

4 The parties agree that time continues to be excluded under the Speedy Trial Act, 18 U.S.C. §  
5 3161(h)(8)(B)(iv) from November 16, 2007, to January 11, 2008. The ends of justice served by granting  
6 a continuance outweigh the best interests of the public and the defendants in a speedy trial. A continuance  
7 is necessary to allow continuity of counsel and reasonable time necessary for effective preparation, taking  
8 into account the exercise of due diligence.

9 DATED: November 13, 2007

/s/  
JULIANA DROUS  
Attorney for Defendant  
HERIBERTO G. REYNOSO CHAVEZ

12 DATED: November 13, 2007

/s/  
RUBEN MUNOZ  
Attorney for Defendant  
CARLOS NUNEZ PEREZ

14 DATED: November , 2007

/s/  
KIMBERLY M. BRIGGS  
Asst. United States Attorney

17 IT IS SO ORDERED.

19 DATED: 11-14-07

  
HON. D. LOWELL JENSEN  
Senior District Court Judge